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UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;
 ORACLE AMERICA, INC., a Delaware
 corporation; and ORACLE INTERNATIONAL
 CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
 SETH RAVIN, an individual,

Defendants.

Case No 2:10-cv-0106-LRH-PAL

**DECLARATION OF JAMES
 MCLEOD IN SUPPORT OF
 ORACLE'S SECOND MOTION FOR
 PARTIAL SUMMARY JUDGMENT**

1 I, James McLeod, declare as follows:

2 1. I am an employee of Oracle, in the position of Regional Services Sales Manager.
3 I submit this declaration in support of Oracle's Motion for Partial Summary Judgment. I have
4 personal knowledge of the matters stated in this declaration and, if called and sworn as a witness,
5 I could and would competently testify as to such matters.

6 2. On January 30, 2010, I sent an email to Kerry Fogarty, a Vice President of Liz
7 Claiborne, Inc., with whom I had been communicating in a business capacity as an Oracle
8 Regional Services Sales Manager. Attached as Exhibit 74 to the Appendix of Exhibits Cited In
9 Support of Oracle's Second Motion for Partial Summary Judgment is a true and correct copy of
10 my email.

11 3. My email contained the text of a January 26, 2010 *Information Week* article by
12 Paul McDougall, entitled "Oracle Sues Rimini Street For 'Massive Theft.'" Besides forwarding
13 the *InformationWeek* article, the only content I included in my email to Ms. Fogarty was the
14 following message: "Hi Kerry, I hope you are well. Forwarding as an FYI here given our recent
15 discussions. Regards. James."

16 4. The *InformationWeek* article, which I forwarded in my email, includes the
17 following statement: "'This case is about massive theft of Oracle's software and related support
18 materials through an illegal business model,' Oracle said in court papers filed Monday in federal
19 court in Nevada."

20 5. At the time I sent my email to Ms. Fogarty, I believed that the *Information Week*
21 article I forwarded truthfully reported the contents of Oracle's Complaint in this case and I had
22 no doubts that it did so.

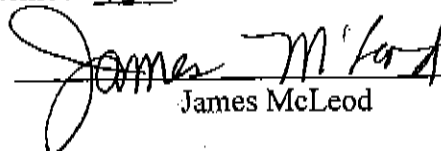
23 I declare under penalty of perjury under the laws of the United States that the matters
24 contained in this Declaration are true and correct, and that this Declaration was executed in

25 MARLBORO NJ on September 13, 2012.

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James McLeod